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July 27, 1998

MM98-35
92-221

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JUL 27 1998

Commissioner Susan Ness
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

Dear Commissioner Ness:

On July 14, 1998, Senator McCain, Chairman of the Senate Commerce, Science and Transportation Committee and Senator Burns, Chairman of the Senate Communications Subcommittee introduced S.2306 (copy attached) which would permit the ownership of television stations licensed to communities located in different television markets as defined by the FCC's rules (ADIs until the end of 1999 and DMAs thereafter). Paxson Communications Corporation ("PCC") believes that this legislation, introduced by two very powerful members of Congress, reflects the realities of the marketplace and represents a growing sentiment in Congress for meaningful television ownership deregulation.

As you are aware, the FCC has been reviewing its television ownership rules and its current contour overlap prohibition since it initiated a *Notice of Inquiry* seven years ago. Those proceedings remain pending at the FCC and may or may not be resolved this year.

PCC submits that if the McCain/Burns legislation is not passed this year, it will inevitably be reintroduced and likely passed next year. Accordingly, PCC urges the Commission to take the initiative and move on the McCain/Burns proposal in resolving its long-pending review of the television ownership rules and act to permit ownership of television stations licensed to separate television markets. As Senator Burns stated, "[t]he ownership of stations with overlapping signals should be allowed if the stations are licensed to communities in different markets. Practical ownership policies will encourage the construction of new television stations and broadcast networks that will promote increased consumer choice." 144 *Cong. Rec.* S 8138 (July 14, 1998).

PCC urges the Commission to adopt the change proposed by S.2306 at its earliest opportunity.

Very truly yours,


John R. Feore, Jr.
Counsel for Paxson Communications Corporation

JRF/lis
Enclosure (S.2306)
cc w/: MM Docket No. 98-35; MM Docket No. 92-221 et al.

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JUL 27 1998

105TH CONGRESS
2D SESSION

S. 2306

Federal Communications Commission
Office of Secretary

To require the Federal Communications Commission to modify its duopoly rule for multiple ownership of television stations.

IN THE SENATE OF THE UNITED STATES

JULY 14, 1998

Mr. BURNS (for himself and Mr. McCain) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To require the Federal Communications Commission to modify its duopoly rule for multiple ownership of television stations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. MULTIPLE OWNERSHIP RULES.**

4 The Federal Communications Commission shall mod-
5 ify the television contour overlap rule set forth at section
6 73.3555 of title 47, Code of Federal Regulations, to per-
7 mit any party (including all parties under common con-
8 trol) to own, operate, or control television stations despite
9 overlapping contours if the television stations are licensed

- 1 to communities in different television markets (as defined
- 2 in section 76.55(e) of such title).